

Attorney's Docket No. 21,451-B USA

## COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

**TYPE OF DECLARATION**

This declaration is of the following type:  
(check one applicable item below)

X original

\_\_\_\_\_ design

           supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part do not check next item; check appropriate one of last three items.

\_\_\_\_\_ national stage of PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED  
PAGED FOR DIVISIONAL, CONTINUATION OR CIP.

divisional

continuation

\_\_\_\_ continuation-in-part (CIP)

## INVENTORSHIP IDENTIFICATION

**WARNING:** If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe that I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**TITLE OF INVENTION**

## PHARMACEUTICALS CONTAINING MULTIPOTENTIAL PRECURSOR CELLS

## FROM TISSUES CONTAINING SENSORY RECEPTORS

the specification of which: (complete (a), (b) or (c))

(a) X is attached hereto.

(b) \_\_\_\_\_ was filed on \_\_\_\_\_ as \_\_\_\_\_ Serial No. 0 / \_\_\_\_\_

or \_\_\_\_ Express Mail No., as Serial No. not yet known  
\_\_\_\_ and amended on \_\_\_\_ (if  
applicable).

Substitute Oath see Paper #5

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 CFR 1.67.

- (c) \_\_\_\_\_ was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 19 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations. § 1.56(a).

\_\_\_\_\_ In compliance with this duty there is attached an information disclosure statement. 37 CFR 1.97.

#### PRIORITY CLAIM

I hereby claim foreign benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

- (d)   X   no such applications have been filed.

- (e) \_\_\_\_\_ such applications have been filed as follows.

NOTE: Where items (c) is entered above and the International Application which designated the U.S. claimed priority check item (c), enter the details below and make the priority claim.

#### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

| COUNTRY | APPLICATION NUMBER | DATE OF FILING<br>(day, month, year) | PRIORITY CLAIMED<br>UNDER 37 USC 119                     |
|---------|--------------------|--------------------------------------|--|
|         |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|         |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|         |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|         |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |
|         |                    |                                      | <input type="checkbox"/> YES <input type="checkbox"/> NO |

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

CLAIM FOR BENEFIT OF PRIOR U.S. PROVISIONAL APPLICATION(S)  
(35 U.S.C. §119(e))

I hereby claim the benefit under title 35, United States Code, §119(e) of any United States provisional application(s) listed below:

Provisional Application Number

60/024,456  
60/024,590

Filing Date

August 27, 1996  
August 26, 1996

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Joseph F. Posillico  
Reg. No. 32,290  
Patrick J. Kelly, Ph.D.  
Reg. No. 34,638

Synnestvedt & Lechner  
Reg. No. 11,101  
Alexis Barron  
Reg. No. 22,702

(check the following items, if applicable)

\_\_\_\_ Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO

Joseph F. Posillico, Esq.  
Synnestvedt & Lechner  
2600 Aramark Tower  
1101 Market Street  
Philadelphia, PA 19107

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

Joseph F. Posillico  
(215) 923-4466

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor Freda Miller

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship Canada

Residence 4201 Old Orchard, Montreal, Quebec Canada H4A 3B3

Post Office Address same as above

Full name of second joint inventor, if any Andrew Gloster

Inventor's signature \_\_\_\_\_

Date \_\_\_\_\_ Country of Citizenship Canada

Residence Apt. 52, 502 Fifth Avenue North, Saskatoon, Saskatchewan  
Canada S7K 2R2

Post Office Address same as above

CHECK PROPER BOX(ES) FOR ANY OF THE FOLLOWING ADDED PAGE(S) WHICH  
FORM A PART OF THIS DECLARATION

\_\_\_\_ Signature for third and subsequent joint inventors.  
Number of pages added \_\_\_\_.

\_\_\_\_ Signature by administrator(trix), executor(trix) or legal  
representative for deceased or incapacitated inventor.  
Number of pages added \_\_\_\_.

\* \* \*

\_\_\_\_ Added pages to combined declaration and power of attorney  
for divisional, continuation or continuation-in-part (CIP)  
application.

\_\_\_\_ Number of pages added \_\_\_\_

\* \* \*

\_\_\_\_ Authorization of attorney(s) to accept and follow  
instructions from representative

\* \* \*

If no further pages form a part of this  
Declaration then end this Declaration with this  
page and check the following item

X  This declaration ends with this page

Express Mail #TB373192864US

**COPY**

**Applicants:** Freda Miller and Andrew Gloster

**For:** Pharmaceuticals Containing Multipotential Neural Stem Cells or  
Neural Progenitor Cells from Olfactory Epithelium

**Docket Number:** 21451 USA

**VERIFIED STATEMENT (DECLARATION)  
CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) and 1.27(b))  
INDEPENDENT INVENTOR**

As the below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under §§ 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled "Pharmaceuticals Containing Multipotential Neural Stem Cells or Neural Progenitor Cells from Olfactory Epithelium" described in the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Respectfully submitted,

Freda Miller

Freda Miller, Inventor

AUG. 22 1996

Date

Andrew Gloster

Andrew Gloster, Inventor

August 22, 1996

Date

08920272-082297